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Clerk
U.S. District Court
Middle District of Tennessee
By Deputy Clerk

UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF TENNESSEE

NASHVILLE DIVISION

UNITED STATES OF AMERICA,	)	
	)	
v.	)	Criminal Number 3:03-00077
	)	Judge Haynes
KEITH SMITH,	)	
	)	
	)	
OPTION ONE MORTGAGE COMPANY, as Petitioner,	)	
	)	
	)	
IN RE: FORFEITURE OF REAL PROPERTY KNOWN AS 1905 CEPHAS STREET, NASHVILLE, DAVIDSON COUNTY, TENNESSEE, [ASSESSOR'S PARCEL # 081-07-0-387-00].	)	

Davidson County ORDER
Recvd: 10/27/05 15:27 2 pgs
Fees:12.00 Taxes:0.00
20051027-0130113

ORDER

It is hereby ORDERED, ADJUDGED, and DECREED that:

1. The United States' Motion for Interlocutory Sale of Real Property is allowed.

2. The Secretary of the Treasury (or his designee) shall seize, sell, and dispose of the real property located at 1905 Cephas Street, Nashville, Davidson County, Tennessee, [Assessor's Parcel # 081-07-0-387-00] whose legal description is as follows:

> LAND in Davidson County, Tennessee, being Lot No. 37 on the Plan of Cephas Woodard Subdivision of Lots 5 and 6, Woodard Property, as of record in Book 161, page 174, Register's Office for said County.
>
> SAID Lot No. 37 fronts 50 feet on the westerly margin of Cephas Street, and extends back between parallel lines 115 feet to an alley.
>
> BEING the same property conveyed to Keith Smith, unmarried, by deed from Johnny Burroughs and wife, Linda Burroughs, of record under instrument number 20020508-0056525, Register's Office for Davidson County, Tennessee.

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THIS is unimproved[1] property, known as 1905 Cephas Street, Nashville, Davidson County, Tennessee.

(hereinafter referred to as the "Subject Property").

3. After deducting from the sale proceeds its lawful costs and expenses relating to its custody, maintenance and sale of the Subject Property, and after paying, from the proceeds, any outstanding real estate taxes on the Subject Property, and the principal, interest, and attorneys fees due on the mortgage of record held by Option One Mortgage Company pursuant to the terms of the Expedited Settlement Agreement, the Secretary of the Treasury shall hold the remainder of the sale proceeds in its Customs Suspense Account until further order of this Court.

4. The Secretary of the Treasury (or his designee) shall retain custody of the Subject Property until it is sold pursuant hereto.

It is so ORDERED, this 4th day of October, 2005.

WILLIAM J. HAYNES, JR.
United States District Judge

[1] The United States has confirmed that the current recorded Warranty Deed describes this property as unimproved. The United States further has confirmed that a site visit to the property reveals this property is now improved with single family residence and that a search of public records performed by the United States indicates such improvement was made in 2002.